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7 Attorney for Raul Lopez  
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9 **UNITED STATES DISTRICT COURT**  
10 **DISTRICT OF NEVADA**  
11

12 UNITED STATES OF AMERICA,

13 Plaintiff,

14 v.

15 RAUL LOPEZ,

16 Defendant.  
17

Case No. 2:17-cr-288-JAD-NJK

**STIPULATION TO CONTINUE**  
**SENTENCING HEARING**  
(First Request)

18 IT IS HEARBY STIPULATED AND AGREED, by and between Dayle Elieson, United States  
19 Attorney, and Phillip N. Smith, Jr., Assistant United States Attorney, counsel for the United States of  
20 America, and Rene L. Valladares, Federal Public Defender, and REBECCA A. LEVY, Assistant  
21 Federal Public Defender, counsel for Raul Lopez, that the Sentencing hearing currently scheduled for  
22 Monday, April 2, 2018 at, 10:00 am be vacated and set to a date and time convenient to this court but  
23 no sooner than thirty (30) days .

24 The Stipulation is entered into for the following reasons:

- 25 1. The client is in custody but does not oppose the continuance.  
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1           2.       Defense counsel needs additional time to gather mitigation information for this client  
2 relevant to the sentencing and disposition of this case.

3           3.       The additional time requested herein is not sought for purposes of delay.

4           4.       Denial of this request for continuance would deny counsel for the defendant sufficient  
5 time to effectively prepare for the sentencing, taking into account the exercise of due diligence.

6           5.       Additionally, denial of this request for continuance could result in a miscarriage of  
7 justice.

8           6.       This is the First stipulation to continue sentencing filed herein.  
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11 DATED: this 22<sup>nd</sup> day of February, 2018.  
12

13 RENE L. VALLADARES  
14 Federal Public Defender

DAYLE ELIESON  
United States Attorney

15       /s/ Rebecca A. Levy  
16 By \_\_\_\_\_

      /s/ Phillip N. Smith, Jr.  
By \_\_\_\_\_

17 REBECCA A. LEVY  
Assistant Federal Public Defender

PHILLIP N. SMITH, JR.  
Assistant United States Attorney

1 **UNITED STATES DISTRICT COURT**  
2 **DISTRICT OF NEVADA**

3 UNITED STATES OF AMERICA,

4 Plaintiff,

5 v.

6 RAUL LOPEZ,

7 Defendant.

Case No. 2:17-cr-288-JAD-NJK

**ORDER**

9 **ORDER**

10 Based on the pending Stipulation of counsel, and good cause appearing therefore, the  
11 Court finds that the best interest of justice is served by the granting of the continuance.

12 IT IS THEREFORE ORDERED that the sentencing hearing currently scheduled on Monday,  
13 April 2, 2018 at 10:00 a.m., be vacated and continued to May 21, 2018 at the hour of 11:00 a.m.  
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15 DATED this 23rd day of February, 2018.  
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19 \_\_\_\_\_  
UNITED STATES DISTRICT JUDGE  
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